

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

MICHAEL MELENDEZ,

*

Plaintiff,

*

v.

*

Civil Action No. GLR-23-2385

JOHN DOE, et al.,

*

Defendants.

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ORDER

The above-captioned Complaint was filed with the full filing fee, and therefore Plaintiff Michael Melendez bears the responsibility for effecting service of process on Defendants. Melendez may effectuate service by presenting summons to the Clerk for signature and seal and then serving a copy of the summons and Complaint on Defendants.

Although Melendez provided a summons along with the Complaint, it is deficient because the address for the Defendant, a corporation, is not the registered agent designated for service. Melendez will be granted 21 days from the date of this Order to correct the deficiency. Melendez is forewarned that failure to provide a summons to the Clerk will result in dismissal of the Complaint without further notice and without prejudice.

One of the named Defendants is a corporation. Service of process on corporations and associations may be made under Federal Rule 4(h). Melendez may contact the office of the State Department of Assessments and Taxation at (410) 767-1330 or visit the website at <https://egov.maryland.gov/BusinessExpress/EntitySearch> to obtain the name and service address for the resident agent of a corporate defendant.

Under Federal Rule 4(e)(1), service of process on an individual must comport with the state law for serving a summons in an action brought in courts of general jurisdiction in the state where the district court is located. Free public access to the Maryland Rules is available through at this website: <https://www.lawlib.state.md.us/researchtools/sourcesmdlaw.html>, operated by the Maryland State Law Library.

Both LexisNexis and Westlaw provide free public access to the Maryland Rules. Free public access to the Maryland Rules is also available through the Maryland State Law Library's website at: <https://mdcourts.gov/lawlib/research/gateway-to-md-law/code-rules-laws-sources>.

Under Federal Rule 4(c)(2), service of a summons and Complaint may be effected by any person who is not a party and who is at least 18 years of age. Melendez is reminded that under Fed. R. Civ. P. 4(l), the person effecting service of the summons and Complaint must promptly notify the Court,¹ through an affidavit, that he or she has served Defendants.

If there is no record that service was effectuated on Defendants, Melendez risks dismissal of this case. Under Fed. R. Civ. P. 4(m) and Local Rule 103.8.a., if a party demanding affirmative relief has not effectuated service of process within 90 days of filing the Complaint, the Court may enter an Order asking the party to show cause why the claims

¹ If Melendez does not use a private process server, and instead uses certified mail, restricted delivery, return receipt requested, to make service, Melendez must file with the Clerk the United States Post Office acknowledgment as proof of service showing who received service and when it was received.

